

REMARKS

The Office Action of December 30, 2004, has been carefully reviewed, and in view of the above amendments and the following remarks, reconsideration and allowance of the pending claims are respectfully requested.

In the above Office Action, claim 1 was rejected under 35 U.S.C. § 112, second paragraph; claims 1, 2, 5, 6, 12, 13 and 15 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Spence* (U.S. Patent No. 4,919,888); claims 3, 4, 7-9 and 16-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Spence* in view of *Quehl* (U.S. Patent No. 4,165,404); claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Spence* in view of *Quehl* and further in view of *Limacher et al.* (U.S. Patent No. 5,837,181); and claims 11, 14, 19 and 20 have been rejected under 35 U.S.C. § as being unpatentable over *Spence* in view of *Houston et al.* (U.S. Patent No. 5,894,014).

As set forth above, the drawings have been amended such that the lead lines from characters 3 and 3b do not reference the same element. More specifically, the lead line from character 3 references the entire sterilization chamber, and the lead line from character 3b references the back wall of the chamber. Further, as set forth above, claim 1 has been amended to overcome the rejection under Section 112, second paragraph, by clearly describing the sterilization chamber. In view of the above, Applicant respectfully submits that the Examiner's objection to the drawings and the rejection under Section 112 have been obviated.

Claim 1 of the present application is directed to a sterilisation chamber for use in a sterilisation device, said sterilisation chamber being adapted to enclose goods to be sterilized during a sterilisation process. The sterilisation chamber is releasably

fastened within the sterilization device and an interior of the sterilisation chamber is pressurized during the sterilisation process so as to define a sealed pressure chamber. The sterilization chamber of the present invention thus constitutes the pressure vessel of the sterilization device, whereas the sterilization container disclosed in the prior art reference to *Spence* is intended to be placed in such a pressure vessel of a sterilization device during a sterilization process.

Applicant respectfully submits that there is a considerable difference between the sterilization chamber of the present invention and the sterilization container disclosed in *Spence*. Most notably, after the sterilization process, the sterilization container of *Spence* is removed from the sterilization chamber. With this interpretation, the sterilization container has to be "mounted" (put into position) in the sterilization device by placing it in a pressure vessel to achieve a sterilization of the goods enclosed in the container. If such a pressure vessel is not available, the sterilization of the goods in the container will not be possible, and the sterilization device will not be functional for sterilization at all. Without the sterilization chamber or pressure vessel, the word "mounted" means that the container may be placed anywhere in relation to the sterilization device. Hence, the sterilization chamber according to the present invention is synonymous with an undisclosed pressure vessel in which the *Spence* container is placed during the sterilization, rather than the sterilization container itself.

A Declaration Under 37 C.F.R. §1.132 is submitted herewith in support of the above arguments distinguishing the "sterilization chamber", a term of art used to refer to a pressure vessel or pressure chamber during the sterilization process, of the present invention from the mere container of the applied prior art. As explained

in greater detail in the Declaration and attached documentation, the structure defining the container in *Spence* is placed in a sterilization pressure chamber of a sterilization device in which the pressure chamber is pressurized during a sterilization process, and the disclosed filter means equalizes the pressure inside and outside the container. The container disclosed in *Spence* is not suitable to be subjected to a higher pressure than the surrounding pressure of the container. Thus, it is evident that the container in *Spence* is not suitable for connection to a sterilant source for achieving an interior pressurization, but can merely be subjected to an ambient pressure in a sterilization chamber. Accordingly, Applicant respectfully submits that *Spence* does not disclose a sterilization chamber releasably fastened within the sterilization device, where an interior of the sterilization chamber is pressurized during the sterilization process so as to define a sealed pressure chamber, as recited in claim 1 of the present application.

CONCLUSION

In view of the above amendments and remarks, Applicants respectfully submit that the claims of the present application are now in condition for allowance, and an early indication of the same is earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference would be helpful in resolving any remaining issues pertaining to this application; the Examiner is kindly invited to call the undersigned counsel for Applicants regarding the same.

Respectfully submitted,

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AMENDMENTS TO THE DRAWING:

The attached sheet of drawings includes changes to Fig.1, such that reference character 3 clearly designates the sterilization chamber, while reference character 3b designates the back wall of the sterilization chamber. This sheet, which includes Fig. 1, replaces the original sheet including Fig. 1.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes



1/1

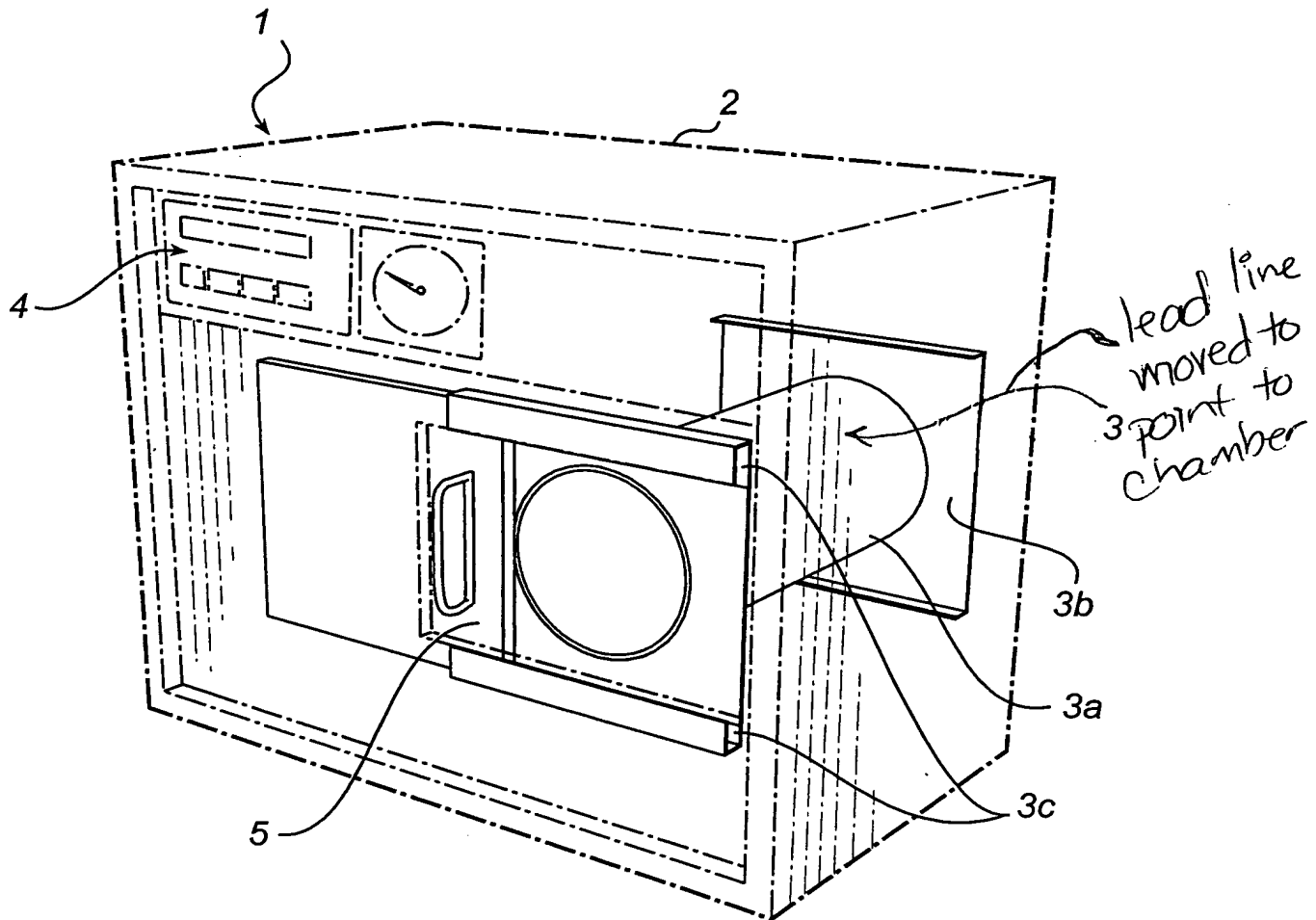


Fig. 1